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JAN 07 2005

Technology Center 2100

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In re Application of: Engstrom, et al.)
Application No. 09/718,385) **DECISION ON PETITION TO**
Attorney Docket No. 024944-123) **WITHDRAW HOLDING OF**
Filed: November 24, 2000) **ABANDONMENT UNDER 37 CFR**
For: SYSTEM AND METHOD FOR) **§1.181**
PROVIDING INFORMATION REGARDING)
MOUNTING, DISMOUNTING AND)
SERVICING A BEARING OR A SEAL)

This is a decision on the petition, filed October 6, 2004, requesting the Withdrawal of the Holding of Abandonment of the above-identified application, under 37 CFR §1.181. The instant application was effectively held abandoned for failure to timely pay the issue fee due in response to the Notice of Allowance and Fee(s) Due (PTOL-85) mailed March 18, 2004. The three-month statutory period for response expired on June 18, 2004. A notice of abandonment has not yet been mailed.

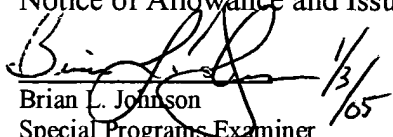
According to the MPEP §711.03(c), the showing required to establish non-receipt of an Office action includes the following:

- 1) a statement from practitioner that the Office action was not received,
- 2) a statement from practitioner that the file jacket and docket records were searched,
- 3) a copy of the docket record at the address of record, and
- 4) a reference to the docket record in the practitioner's statement.

In support of the petition, applicants' representative provides a statement that the Notice of Allowance and Fee(s) Due was not received and that a search of the file jacket and docket records has been performed. Petitioner has also submitted a copy of the docket record at the address of record as well as a reference to the docket record in practitioner's statement.

Petitioner has established non-receipt of the Office action according to the requirements set forth above. Accordingly, the petition is **GRANTED**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **withdraw the holding of abandonment**, before redating and remailing the Notice of Allowance and Issue Fees Due to the applicant.


Brian L. Johnson
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